



Journal of the House

State of Indiana

113th General Assembly

First Regular Session

Ninth Meeting Day

Thursday Afternoon

January 23, 2003

The House convened at 1:30 p.m. with the Speaker in the Chair.

The invocation was offered by Pastor Keith Ross, Zion Church of the Nazarene, Ellettsville, the guest of Representative Peggy Welch.

The Pledge of Allegiance to the Flag was led by Representative Welch.

The Speaker ordered the roll of the House to be called:

T. Adams	Kromkowski
Aguilera	Kruse
Alderman	Kuzman ...
Austin	LaPlante
Avery	L. Lawson
Ayres	Lehe
Bardon	Leonard
Becker	Liggett
Behning	J. Lutz ...
Bischoff	Lytle
Borror	Mahern
Bosma	Mangus
Bottorff	Mays
C. Brown ...	McClain
T. Brown	Moses
Buck	Murphy
Budak	Neese
Buell	Noe ...
Burton	Orentlicher
Cheney	Oxley
Cherry	Pelath
Chowning	Pflum
Cochran	Pierce
Crawford	Pond
Crooks	Porter
Day	Reske
Denbo	Richardson
Dickinson	Ripley
Dobis	Robertson
Duncan	Ruppel
Dvorak	Saunders
Espich	Scholer
Foley	V. Smith
Frenz	Stevenson
Friend	Stilwell
Frizzell	Stine
Fry	Stutzman
GiaQuinta	Summers
Goodin	Thomas
Grubb	Thompson
Gutwein	Torr
Harris ...	Turner
Hasler	Ulmer
Heim	Weinzapfel
Herrell	Welch
Hinkle	Whetstone
Hoffman	Wolkins
Kersey	D. Young
Klinker	Yount
Koch	Mr. Speaker

Roll Call 9: 95 present; 5 excused. The Speaker announced a quorum in attendance. [NOTE: ... indicates those who were excused.]

HOUSE MOTION

Mr. Speaker: I move that when we do adjourn, we adjourn until Monday, January 27, 2003, at 1:30 p.m.

DOBIS

Motion prevailed.

INTRODUCTION OF BILLS

The following bills were read a first time by title and referred to the respective committees:

HB 1804 — Alderman (Commerce and Economic Development)
A BILL FOR AN ACT to amend the Indiana Code concerning trade regulations; consumer sales and credit.

HB 1805 — Alderman (Commerce and Economic Development)
A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

HB 1806 — Alderman, Kuzman (Public Policy, Ethics and Veterans Affairs)
A BILL FOR AN ACT to amend the Indiana Code concerning alcoholic beverages and tobacco.

HB 1807 — Kersey (Ways and Means)
A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration.

HB 1808 — Bischoff (Local Government)
A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration.

HB 1809 — Becker, C. Brown, Budak (Ways and Means)
A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration.

HB 1810 — C. Brown (Public Health)
A BILL FOR AN ACT to amend the Indiana Code concerning human services.

HB 1811 — Crawford, Cochran (Ways and Means)
A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

HB 1812 — Crawford (Public Policy, Ethics and Veterans Affairs)
A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

HB 1813 — Crawford (Ways and Means)
A BILL FOR AN ACT to amend the Indiana Code concerning human services.

HB 1814 — Crawford (Ways and Means)
A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

HB 1815 — Crawford, Welch, Espich (Ways and Means)
A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

HB 1816 — L. Lawson, Scholer, Mays (Judiciary)
A BILL FOR AN ACT to amend the Indiana Code concerning civil procedure.

HB 1817 — Murphy (Ways and Means)

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

HB 1818 — Behning, Cherry (Appointments and Claims)

A BILL FOR AN ACT to amend the Indiana Code concerning education.

HB 1819 — Behning (Local Government)

A BILL FOR AN ACT to amend the Indiana Code concerning utilities and transportation.

HB 1820 — Behning (Agriculture, Natural Resources and Rural Development)

A BILL FOR AN ACT to amend the Indiana Code concerning natural and cultural resources.

HB 1821 — Behning (Education)

A BILL FOR AN ACT to amend the Indiana Code concerning education.

HB 1822 — Torr (Insurance, Corporations and Small Business)

A BILL FOR AN ACT to amend the Indiana Code concerning insurance.

HB 1823 — Torr, T. Brown (Ways and Means)

A BILL FOR AN ACT to amend the Indiana Code concerning state fiscal matters and to make an appropriation.

HB 1824 — Heim, Bosma, Koch, Gutwein (Education)

A BILL FOR AN ACT to amend the Indiana Code concerning education.

HB 1825 — Grubb, Thomas, Chowning, Koch (Ways and Means)

A BILL FOR AN ACT to amend the Indiana Code concerning state offices and administration.

HB 1826 — Leonard, Murphy (Ways and Means)

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

HB 1827 — Bosma, Heim, Stutzman (Appointments and Claims)

A BILL FOR AN ACT concerning state offices and administration.

HB 1828 — Bosma, Welch (Courts and Criminal Code)

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

HB 1829 — Bosma, Murphy (Appointments and Claims)

A BILL FOR AN ACT to amend the Indiana Code concerning state offices and administration.

HB 1830 — Bosma, Scholer, Pond (Education)

A BILL FOR AN ACT to amend the Indiana Code concerning education.

HB 1831 — Bosma, Denbo (Technology, Research and Development)

A BILL FOR AN ACT to amend the Indiana Code concerning education.

HB 1832 — Saunders, Klinker (Ways and Means)

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

HB 1833 — Saunders, Reske, Welch (Ways and Means)

A BILL FOR AN ACT to amend the Indiana Code concerning taxation and to make an appropriation.

HB 1834 — Bardon (Financial Institutions)

A BILL FOR AN ACT to amend the Indiana Code concerning financial institutions.

HB 1835 — Stine, Murphy (Ways and Means)

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

HB 1836 — Summers (Insurance, Corporations and Small Business)

A BILL FOR AN ACT to amend the Indiana Code concerning insurance.

HB 1837 — Summers (Ways and Means)

A BILL FOR AN ACT to amend the Indiana Code concerning Medicaid and to make an appropriation.

HB 1838 — Hoffman, Pflum (Ways and Means)

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

HB 1839 — Whetstone, Bottorff (Commerce and Economic Development)

A BILL FOR AN ACT to amend the Indiana Code concerning environmental law.

HB 1840 — Whetstone, Dobis (Labor and Employment)

A BILL FOR AN ACT to amend the Indiana Code concerning pensions.

HB 1841 — Mahern (Financial Institutions)

A BILL FOR AN ACT to amend the Indiana Code concerning trade regulations and consumer sales and credit and to make an appropriation.

HB 1842 — Mahern (Public Policy, Ethics and Veterans Affairs)

A BILL FOR AN ACT to amend the Indiana Code concerning alcoholic beverages and tobacco.

HB 1843 — Ruppel (Judiciary)

A BILL FOR AN ACT to repeal certain provisions of the Indiana Code concerning civil law and procedure.

HB 1844 — Ruppel, Friend (Ways and Means)

A BILL FOR AN ACT to amend the Indiana Code concerning human services.

HB 1845 — Ruppel, Wolkins (Human Affairs)

A BILL FOR AN ACT to amend the Indiana Code concerning education.

HB 1846 — Behning (Ways and Means)

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

HB 1847 — Behning (Education)

A BILL FOR AN ACT to amend the Indiana Code concerning education.

HB 1848 — Becker, C. Brown, Summers, Budak (Ways and Means)

A BILL FOR AN ACT to amend the Indiana Code concerning health.

HB 1849 — L. Lawson, Budak (Public Policy, Ethics and Veterans Affairs)

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

HB 1850 — Becker, Stilwell (Human Affairs)

A BILL FOR AN ACT to amend the Indiana Code concerning family law and juvenile law.

HB 1851 — Friend, Klinker, Becker, Budak (Education)

A BILL FOR AN ACT to amend the Indiana Code concerning education.

HB 1852 — Hinkle, Frenz (Labor and Employment)

A BILL FOR AN ACT to amend the Indiana Code concerning pensions.

HB 1853 — Hinkle (Public Health)

A BILL FOR AN ACT concerning Medicaid.

HB 1854 — Hinkle (Roads and Transportation)

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

HB 1855 — Hinkle (Environmental Affairs)

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

HB 1856 — Hinkle (Public Health)

A BILL FOR AN ACT concerning health.

HB 1857 — L. Lawson, Mahern, Alderman (Labor and Employment)

A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration.

HB 1858 — Harris, Stevenson (Ways and Means)

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

HB 1859 — Harris (Public Policy, Ethics and Veterans Affairs)

A BILL FOR AN ACT to amend the Indiana Code concerning alcoholic beverages and tobacco.

HB 1860 — Porter (Public Policy, Ethics and Veterans Affairs)

A BILL FOR AN ACT to amend the Indiana Code concerning firearms.

HB 1861 — Porter (Ways and Means)

A BILL FOR AN ACT to amend the Indiana Code concerning education and to make an appropriation.

HB 1862 — Porter (Human Affairs)

A BILL FOR AN ACT to amend the Indiana Code concerning education.

HB 1863 — Thomas, L. Lawson (Ways and Means)

A BILL FOR AN ACT to amend the Indiana Code concerning courts and court officers.

HB 1864 — Robertson, Goodin, Torr, Welch (Education)

A BILL FOR AN ACT to amend the Indiana Code concerning education.

HB 1865 — Murphy, Frenz (Ways and Means)

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

HB 1866 — Koch, Neese, Thomas (Human Affairs)

A BILL FOR AN ACT to amend the Indiana Code concerning human services.

HB 1867 — Koch, Austin, Mays, Klinker, Heim (Education)

A BILL FOR AN ACT to amend the Indiana Code concerning education.

HB 1868 — Koch, Heim, Reske (Ways and Means)

A BILL FOR AN ACT concerning taxation.

HB 1869 — Cheney (Ways and Means)

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

HB 1870 — Buell, Crawford (Ways and Means)

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

HB 1871 — Weinzapfel (Ways and Means)

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

HB 1872 — Weinzapfel (Interstate and International Cooperation)

A BILL FOR AN ACT to amend the Indiana Code concerning transportation.

HB 1873 — Weinzapfel (Interstate and International Cooperation)

A BILL FOR AN ACT to amend the Indiana Code concerning transportation.

HB 1874 — Avery, Harris (Ways and Means)

A BILL FOR AN ACT to amend the Indiana Code concerning taxation and local government.

HB 1875 — Oxley, Welch, T. Brown (Environmental Affairs)

A BILL FOR AN ACT to amend the Indiana Code concerning environmental law and to make an appropriation.

HB 1876 — Oxley (Appointments and Claims)

A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration.

HB 1877 — Duncan (Public Health)

A BILL FOR AN ACT to amend the Indiana Code concerning health.

HB 1878 — Duncan (Ways and Means)

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

HB 1879 — Oxley (Labor and Employment)

A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration.

HB 1880 — Pierce, Weinzapfel, Wolkins (Ways and Means)

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

HB 1881 — Pierce, Foley (Commerce and Economic Development)

A BILL FOR AN ACT to amend the Indiana Code concerning property.

HB 1882 — Pierce, Foley (Judiciary)

A BILL FOR AN ACT to amend the Indiana Code concerning agriculture and animals.

HB 1883 — Pelath, Oxley (Education)

A BILL FOR AN ACT to amend the Indiana Code concerning education and to make an appropriation.

HB 1884 — Pelath (Public Policy, Ethics and Veterans Affairs)

A BILL FOR AN ACT to amend the Indiana Code concerning gaming and pensions and to make an appropriation.

HB 1885 — Stutzman, Thompson, Whetstone (Roads and Transportation)

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

HB 1886 — Austin, Reske (Ways and Means)

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

HB 1887 — Austin (Ways and Means)

A BILL FOR AN ACT to amend the Indiana Code concerning education and to make an appropriation.

HB 1888 — Wolkins (Roads and Transportation)

A BILL FOR AN ACT to amend the Indiana Code concerning utilities and transportation.

HB 1889 — Friend, Scholer, Welch, C. Brown (Ways and Means)

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

HB 1890 — Thomas (Roads and Transportation)

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

HB 1891 — Stevenson, Ayres (Elections and Apportionment)

A BILL FOR AN ACT to amend the Indiana Code concerning elections.

HB 1892 — Stevenson (Ways and Means)

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

HB 1893 — Stevenson (Interstate and International Cooperation)

A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration.

HB 1894 — Stevenson (Judiciary)

A BILL FOR AN ACT to amend the Indiana Code concerning courts and court officers.

HB 1895 — Dvorak (Financial Institutions)

A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration.

HB 1896 — Dvorak (Ways and Means)

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

HB 1897 — Dvorak, Foley, Day, Hasler (Commerce and Economic Development)

A BILL FOR AN ACT to amend the Indiana Code concerning property.

HB 1898 — Frizzell (Ways and Means)

A BILL FOR AN ACT to amend the Indiana Code concerning health.

HB 1899 — Frizzell (Courts and Criminal Code)

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

HB 1900 — Frizzell (Ways and Means)

A BILL FOR AN ACT concerning Medicaid.

HB 1901 — Frizzell, Porter (Elections and Apportionment)

A BILL FOR AN ACT to amend the Indiana Code concerning elections.

HB 1902 — Denbo, Saunders, Stilwell (Public Policy, Ethics and Veterans Affairs)

A BILL FOR AN ACT to amend the Indiana Code concerning gaming.

HB 1903 — Denbo, Saunders (Public Policy, Ethics and Veterans Affairs)

A BILL FOR AN ACT to amend the Indiana Code concerning gaming.

HB 1904 — Richardson (Ways and Means)

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

HB 1905 — McClain (Labor and Employment)

A BILL FOR AN ACT to amend the Indiana Code concerning labor and industrial safety.

HB 1906 — Burton (Roads and Transportation)

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

HB 1907 — Lehe (Ways and Means)

A BILL FOR AN ACT to amend the Indiana Code concerning production of income.

HB 1908 — Welch (Human Affairs)

A BILL FOR AN ACT concerning the general assembly.

HB 1909 — Welch (Public Health)

A BILL FOR AN ACT to amend the Indiana Code concerning health.

HB 1910 — Welch (Ways and Means)

A BILL FOR AN ACT to amend the Indiana Code concerning education and to make an appropriation.

HB 1911 — Cherry, Welch (Ways and Means)

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

HB 1912 — Cherry (Appointments and Claims)

A BILL FOR AN ACT to amend the Indiana Code concerning state offices and administration.

HB 1913 — Goodin (Labor and Employment)

A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration.

HB 1914 — Neese, Fry, Stutzman (Ways and Means)

A BILL FOR AN ACT to amend the Indiana Code concerning state police, civil defense and military affairs.

HB 1915 — Neese (Roads and Transportation)

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

HB 1916 — Neese (Commerce and Economic Development)

A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.

HB 1917 — V. Smith (Judiciary)

A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration.

HB 1918 — V. Smith (Courts and Criminal Code)

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

HB 1919 — Scholer, Pond (Education)

A BILL FOR AN ACT to amend the Indiana Code concerning education.

HB 1920 — Scholer, Pond (Education)

A BILL FOR AN ACT to amend the Indiana Code concerning education.

HB 1921 — T. Adams, Richardson (Agriculture, Natural Resources and Rural Development)

A BILL FOR AN ACT to amend the Indiana Code concerning natural and cultural resources.

HB 1922 — T. Adams (Labor and Employment)

A BILL FOR AN ACT to amend the Indiana Code concerning pensions.

HB 1923 — T. Adams, Liggett (Labor and Employment)

A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration.

HB 1924 — T. Adams (Public Policy, Ethics and Veterans Affairs)

A BILL FOR AN ACT to amend the Indiana Code concerning charity gaming.

HB 1925 — Aguilera (Elections and Apportionment)

A BILL FOR AN ACT to amend the Indiana Code concerning education.

HB 1926 — Ulmer (Insurance, Corporations and Small Business)

A BILL FOR AN ACT to amend the Indiana Code concerning insurance.

HB 1927 — Yount (Labor and Employment)

A BILL FOR AN ACT to amend the Indiana Code concerning labor and industrial safety.

HB 1928 — Yount, Oxley (Ways and Means)

A BILL FOR AN ACT to amend the Indiana Code concerning family law and juvenile law.

HB 1929 — Yount (Ways and Means)

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

HB 1930 — Yount (Ways and Means)

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

HB 1931 — Ayres, Stevenson, Lehe, Harris (Commerce and Economic Development)

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

HB 1932 — Ayres, Pelath, Heim, C. Brown (Ways and Means)

A BILL FOR AN ACT concerning environmental law and to make an appropriation.

HB 1933 — Ayres, Stevenson (Labor and Employment)

A BILL FOR AN ACT to amend the Indiana Code concerning state police, civil defense and military affairs.

HB 1934 — Ayres, Aguilera, Ruppel (Ways and Means)

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

HB 1935 — Oxley (Appointments and Claims)

A BILL FOR AN ACT to amend the Indiana Code concerning state offices and administration.

HB 1936 — Reske (Ways and Means)

A BILL FOR AN ACT to amend the Indiana Code concerning family law and juvenile law.

HB 1937 — Reske (Courts and Criminal Code)

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

HB 1938 — Reske (Judiciary)

A BILL FOR AN ACT to amend the Indiana Code concerning human services.

HB 1939 — Fry, Grubb (Appointments and Claims)

A BILL FOR AN ACT to amend the Indiana Code concerning property.

HB 1940 — Thompson, LaPlante (Labor and Employment)

A BILL FOR AN ACT to amend the Indiana Code concerning labor and industrial safety.

HB 1941 — Thompson (Ways and Means)

A BILL FOR AN ACT to amend the Indiana Code concerning education finance.

HB 1942 — Thompson, LaPlante, Stutzman (Education)

A BILL FOR AN ACT to amend the Indiana Code concerning education.

HB 1943 — Thompson (Education)

A BILL FOR AN ACT to amend the Indiana Code concerning education.

HB 1944 — Thompson, Lytle (Agriculture, Natural Resources and Rural Development)

A BILL FOR AN ACT to amend the Indiana Code concerning natural and cultural resources.

HB 1945 — Thompson, Whetstone (Public Policy, Ethics and Veterans Affairs)

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

HB 1946 — Thompson (Commerce and Economic Development)

A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.

HB 1947 — Thompson, Goodin (Judiciary)

A BILL FOR AN ACT to amend the Indiana Code concerning family law and juvenile law.

HB 1948 — Thompson, Chowning (Insurance, Corporations and Small Business)

A BILL FOR AN ACT to amend the Indiana Code concerning property.

HB 1949 — Thompson (Public Policy, Ethics and Veterans Affairs)

A BILL FOR AN ACT to amend the Indiana Code concerning labor and industrial safety.

HB 1950 — Thompson, Stutzman (Public Policy, Ethics and Veterans Affairs)

A BILL FOR AN ACT to amend the Indiana Code concerning health.

HB 1951 — Thompson (Environmental Affairs)

A BILL FOR AN ACT concerning health.

HB 1952 — Thompson, Goodin (Labor and Employment)

A BILL FOR AN ACT to amend the Indiana Code concerning pensions.

HB 1953 — Thompson (Elections and Apportionment)

A BILL FOR AN ACT to amend the Indiana Code concerning elections.

HB 1954 — Thompson, Chowning, Heim (Judiciary)

A BILL FOR AN ACT to amend the Indiana Code concerning family law and juvenile law.

HB 1955 — Thompson (Judiciary)

A BILL FOR AN ACT to amend the Indiana Code concerning family law and juvenile law.

HB 1956 — Thompson, LaPlante (Commerce and Economic Development)

A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.

HB 1957 — Thompson (Judiciary)

A BILL FOR AN ACT to amend the Indiana Code concerning education.

HB 1958 — Thompson (Education)

A BILL FOR AN ACT to amend the Indiana Code concerning education and to make an appropriation.

HB 1959 — Thompson (Judiciary)

A BILL FOR AN ACT to amend the Indiana Code concerning community restitution.

HB 1960 — Thompson, Whetstone (Appointments and Claims)

A BILL FOR AN ACT to amend the Indiana Code concerning civil procedure.

HB 1961 — Thompson, Whetstone (Appointments and Claims)

A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration.

HB 1962 — Thompson (Ways and Means)

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

HB 1963 — Thompson (Technology, Research and Development)

A BILL FOR AN ACT to amend the Indiana Code concerning trade regulation.

HB 1964 — Thompson (Labor and Employment)

A BILL FOR AN ACT to amend the Indiana Code concerning labor and industrial safety.

HB 1965 — Thompson (Judiciary)

A BILL FOR AN ACT to amend the Indiana Code concerning family law and juvenile law.

HB 1966 — Thompson, Whetstone, LaPlante (Ways and Means)
A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

HB 1967 — Thompson (Local Government)
A BILL FOR AN ACT to amend the Indiana Code concerning local government.

HB 1968 — Thompson (Roads and Transportation)
A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

HB 1969 — Thompson, LaPlante (Elections and Apportionment)
A BILL FOR AN ACT to amend the Indiana Code concerning elections.

HB 1970 — Alderman (Financial Institutions)
A BILL FOR AN ACT to amend the Indiana Code concerning trade regulations; consumer sales and credit.

HB 1971 — Alderman (Commerce and Economic Development)
A BILL FOR AN ACT to amend the Indiana Code concerning utilities and transportation.

HB 1972 — Stilwell (Human Affairs)
A BILL FOR AN ACT to amend the Indiana Code concerning human services.

HB 1973 — Noe, Orentlicher (Public Health)
A BILL FOR AN ACT to amend the Indiana Code concerning health.

HB 1974 — Noe (Education)
A BILL FOR AN ACT to amend the Indiana Code concerning education.

HB 1975 — Friend, Ulmer (Appointments and Claims)
A BILL FOR AN ACT to amend the Indiana Code concerning civil procedure.

HB 1976 — Friend, Lytle (Ways and Means)
A BILL FOR AN ACT to amend the Indiana Code concerning taxation and to make an appropriation.

HB 1977 — Friend, Herrell, Wolkins (Roads and Transportation)
A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

HB 1978 — Friend, Herrell, Ulmer, Mangus (Agriculture, Natural Resources and Rural Development)
A BILL FOR AN ACT to amend the Indiana Code concerning agriculture and animals.

HB 1979 — Welch, Klinker, Reske, Whetstone (Environmental Affairs)
A BILL FOR AN ACT to amend the Indiana Code concerning environmental law.

HB 1980 — Avery (Elections and Apportionment)
A BILL FOR AN ACT to amend the Indiana Code concerning elections.

HB 1981 — Orentlicher, Kersey (Ways and Means)
A BILL FOR AN ACT to amend the Indiana Code concerning labor and industrial safety.

HB 1982 — Orentlicher, Kruse, Kromkowski, Turner (Labor and Employment)
A BILL FOR AN ACT to amend the Indiana Code concerning finance.

HB 1983 — Orentlicher (Elections and Apportionment)
A BILL FOR AN ACT to amend the Indiana Code concerning elections and to make an appropriation.

HB 1984 — Orentlicher (Public Policy, Ethics and Veterans Affairs)
A BILL FOR AN ACT to amend the Indiana Code concerning health.

HB 1985 — Orentlicher (Environmental Affairs)
A BILL FOR AN ACT to amend the Indiana Code concerning agriculture and animals.

HB 1986 — Orentlicher (Judiciary)
A BILL FOR AN ACT to amend the Indiana Code concerning courts and court officers.

HB 1987 — Borror (Labor and Employment)
A BILL FOR AN ACT to amend the Indiana Code concerning labor and industrial safety.

HB 1988 — Turner (Labor and Employment)
A BILL FOR AN ACT to amend the Indiana Code concerning state and local finance.

HB 1989 — Turner (Ways and Means)
A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

HB 1990 — Turner (Elections and Apportionment)
A BILL FOR AN ACT to amend the Indiana Code concerning elections.

HB 1991 — Turner (Elections and Apportionment)
A BILL FOR AN ACT to amend the Indiana Code concerning elections.

HB 1992 — Turner (Appointments and Claims)
A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration.

HB 1993 — Turner (Commerce and Economic Development)
A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

HB 1994 — Turner (Ways and Means)
A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration.

HB 1995 — Turner (Public Policy, Ethics and Veterans Affairs)
A BILL FOR AN ACT to amend the Indiana Code concerning gaming.

HB 1996 — Turner (Human Affairs)
A BILL FOR AN ACT to amend the Indiana Code concerning corrections.

HB 1997 — Turner (Human Affairs)
A BILL FOR AN ACT to amend the Indiana Code concerning corrections.

HB 1998 — Turner (Education)
A BILL FOR AN ACT to amend the Indiana Code concerning education.

HB 1999 — Turner (Rules and Legislative Procedures)
A BILL FOR AN ACT to amend the Indiana Code concerning the general assembly.

HB 2000 — Turner (Courts and Criminal Code)
A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

HB 2001 — Turner (Ways and Means)
A BILL FOR AN ACT to amend the Indiana Code concerning human services.

HB 2002 — Turner (Ways and Means)
A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

HB 2003 — Turner (Education)

A BILL FOR AN ACT to amend the Indiana Code concerning education.

HB 2004 — Turner (Rules and Legislative Procedures)

A BILL FOR AN ACT to amend the Indiana Code concerning the general assembly.

HB 2005 — Bauer (Ways and Means)

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

HB 2006 — LaPlante (Ways and Means)

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

HB 2007 — Behning, Stine, Stutzman (Education)

A BILL FOR AN ACT to amend the Indiana Code concerning education.

HB 2008 — Rules (Rules and Legislative Procedures)

A BILL FOR AN ACT to amend the Indiana Code concerning amend the Indiana Code.

HB 2009 — Rules (Rules and Legislative Procedures)

A BILL FOR AN ACT to amend the Indiana Code concerning amend the Indiana Code.

HB 2010 — Rules (Rules and Legislative Procedures)

A BILL FOR AN ACT to amend the Indiana Code concerning amend the Indiana Code.

HB 2011 — Rules (Rules and Legislative Procedures)

A BILL FOR AN ACT to amend the Indiana Code concerning amend the Indiana Code.

HB 2012 — Rules (Rules and Legislative Procedures)

A BILL FOR AN ACT to amend the Indiana Code concerning amend the Indiana Code.

HB 2013 — Rules (Rules and Legislative Procedures)

A BILL FOR AN ACT to amend the Indiana Code concerning amend the Indiana Code.

HB 2014 — Rules (Rules and Legislative Procedures)

A BILL FOR AN ACT to amend the Indiana Code concerning amend the Indiana Code.

HB 2015 — Rules (Rules and Legislative Procedures)

A BILL FOR AN ACT to amend the Indiana Code concerning amend the Indiana Code.

HB 2016 — Rules (Rules and Legislative Procedures)

A BILL FOR AN ACT to amend the Indiana Code concerning amend the Indiana Code.

HB 2017 — Rules (Rules and Legislative Procedures)

A BILL FOR AN ACT to amend the Indiana Code concerning amend the Indiana Code.

HB 2018 — Rules (Rules and Legislative Procedures)

A BILL FOR AN ACT to amend the Indiana Code concerning amend the Indiana Code.

HB 2019 — Rules (Rules and Legislative Procedures)

A BILL FOR AN ACT to amend the Indiana Code concerning amend the Indiana Code.

HB 2020 — Rules (Rules and Legislative Procedures)

A BILL FOR AN ACT to amend the Indiana Code concerning amend the Indiana Code.

HB 2021 — Rules (Rules and Legislative Procedures)

A BILL FOR AN ACT to amend the Indiana Code concerning amend the Indiana Code.

HB 2022 — Rules (Rules and Legislative Procedures)

A BILL FOR AN ACT to amend the Indiana Code concerning amend the Indiana Code.

HB 2023 — Rules (Rules and Legislative Procedures)

A BILL FOR AN ACT to amend the Indiana Code concerning amend the Indiana Code.

HB 2024 — Rules (Rules and Legislative Procedures)

A BILL FOR AN ACT to amend the Indiana Code concerning amend the Indiana Code.

HB 2025 — Rules (Rules and Legislative Procedures)

A BILL FOR AN ACT to amend the Indiana Code concerning amend the Indiana Code.

HB 2026 — Rules (Rules and Legislative Procedures)

A BILL FOR AN ACT to amend the Indiana Code concerning amend the Indiana Code.

HB 2027 — Rules (Rules and Legislative Procedures)

A BILL FOR AN ACT to amend the Indiana Code concerning amend the Indiana Code.

HB 2028 — Rules (Rules and Legislative Procedures)

A BILL FOR AN ACT to amend the Indiana Code concerning amend the Indiana Code.

HB 2029 — Rules (Rules and Legislative Procedures)

A BILL FOR AN ACT to amend the Indiana Code concerning amend the Indiana Code.

HB 2030 — Rules (Rules and Legislative Procedures)

A BILL FOR AN ACT to amend the Indiana Code concerning amend the Indiana Code.

HB 2031 — Rules (Rules and Legislative Procedures)

A BILL FOR AN ACT to amend the Indiana Code concerning amend the Indiana Code.

HB 2032 — Rules (Rules and Legislative Procedures)

A BILL FOR AN ACT to amend the Indiana Code concerning amend the Indiana Code.

INTRODUCTION OF JOINT RESOLUTIONS

The following joint resolutions were read a first time by title and referred to the respective committees:

HJR 3 — C. Brown (Rules and Legislative Procedures)

A JOINT RESOLUTION proposing an amendment to Article 7 of the Indiana Constitution concerning courts and court officers.

Be it resolved by the General Assembly of the State of Indiana:

SECTION 1. The following amendment to the Constitution of the State of Indiana is proposed and agreed to by this, the One Hundred Thirteenth General Assembly of the State of Indiana, and is referred to the next General Assembly for reconsideration and agreement.

SECTION 2. ARTICLE 7, SECTION 3 OF THE CONSTITUTION OF THE STATE OF INDIANA IS AMENDED TO READ AS FOLLOWS: Section 3. Chief Justice. The Chief Justice of the State shall be **a member of the Supreme Court and shall be** selected by the ~~judicial nominating commission from the~~ members of the Supreme Court ~~and he to serve as Chief Justice.~~ **The Chief Justice** shall retain that office for a period of five years, subject to reappointment in the same manner, except that a member of the Court may resign the office of Chief Justice without resigning from the Court. During a vacancy in the office of Chief Justice caused by absence, illness, incapacity or resignation, all powers and duties of that office shall devolve upon the member of the Supreme Court who is senior in length of service and if equal in length of service the determination shall be by lot until such time as the cause of the vacancy is terminated or the vacancy is filled.

The Chief Justice of the State shall appoint such persons as the General Assembly by law may provide for the administration of ~~his~~ **the Chief Justice's** office. The Chief Justice shall have prepared and

submit to the General Assembly regular reports on the condition of the courts and such other reports as may be requested.

SECTION 3. ARTICLE 7, SECTION 9 OF THE CONSTITUTION OF THE STATE OF INDIANA IS AMENDED TO READ AS FOLLOWS: Section 9. ~~Judicial Nominating Commission on Judicial Qualifications~~. There shall be one ~~judicial nominating~~ commission on judicial qualifications for the Supreme Court and Court of Appeals. ~~This commission shall, in addition, be the commission on judicial qualifications for the Supreme Court and Court of Appeals.~~

The ~~judicial nominating~~ commission on judicial qualifications shall consist of seven members, a majority of whom shall form a quorum, one of whom shall be the Chief Justice of the State or a Justice of the Supreme Court whom ~~he the Chief Justice~~ may designate, who shall act as chairman. Those admitted to the practice of law shall elect three of their number to serve as members of said commission. All elections shall be in such manner as the General Assembly may provide. The Governor shall appoint to the commission three citizens, not admitted to the practice of law. The terms of office and compensation for members of a ~~judicial nominating~~ the commission on judicial qualifications shall be fixed by the General Assembly. No member of a ~~judicial nominating~~ the commission on judicial qualifications other than the Chief Justice or ~~his the Chief Justice's~~ designee shall hold any other salaried public office. No member shall hold an office in a political party or organization. No member of the ~~judicial nominating~~ commission on judicial qualifications shall be eligible for appointment to a judicial office so long as ~~he the member~~ is a member of the commission and for a period of three years thereafter.

SECTION 4. ARTICLE 7, SECTION 10 OF THE CONSTITUTION OF THE STATE OF INDIANA IS AMENDED TO READ AS FOLLOWS: Section 10. ~~Selection of Justices of the Supreme Court and Judges of the Court of Appeals~~. (a) A vacancy in a judicial office in the Supreme Court or Court of Appeals shall be filled by the Governor without regard to political affiliation. ~~from a list of three nominees presented to him by the judicial nominating commission: If the Governor shall fail to make an appointment from the list within sixty days from the day it is presented to him; the vacancy occurs,~~ the appointment shall be made by the Chief Justice or the acting Chief Justice. ~~from the same list.~~

(b) To be eligible for nomination as a justice of the Supreme Court or Judge of the Court of Appeals, a person must be domiciled within the geographic district, a citizen of the United States, admitted to the practice of law in the courts of the State for a period of not less than ten (10) years or must have served as a judge of a circuit, superior, or criminal court of the State of Indiana for a period of not less than five (5) years.

SECTION 5. ARTICLE 7, SECTION 11 OF THE CONSTITUTION OF THE STATE OF INDIANA IS AMENDED TO READ AS FOLLOWS: Section 11. ~~Tenure of Justices of Supreme Court and Judges of the Court of Appeals~~: (a) A justice of the Supreme Court or judge of the Court of Appeals shall ~~serve until the next general election following the expiration of two years from the date of appointment; and subject to approval or rejection by the electorate, shall continue to serve for terms of ten years; so long as he retains his office: be elected by the voters.~~ In the case of a justice of the Supreme Court, the electorate of the entire state shall vote ~~on the question of approval or rejection: for the office.~~ In the case of judges of the Court of Appeals, the electorate of the geographic district in which ~~he a judge~~ serves shall vote ~~on the question of approval or rejection for the office.~~ The term of office for a justice of the Supreme Court is ten (10) years. The term of office of a judge of the Court of Appeals is ten (10) years.

(b) Every such justice and judge shall retire at the age specified by statute in effect at the commencement of ~~his the justice's or judge's~~ current term.

(c) Every such justice or judge is disqualified from acting as a judicial officer, without loss of salary, while there is pending (1) an indictment or information charging ~~him the justice or judge~~ in any court in the United States with a crime punishable as a felony under the laws of Indiana or the United States, or (2) a recommendation to the Supreme Court by the commission on judicial qualifications for

~~his the justice's or judge's~~ removal or retirement.

(d) On recommendation of the commission on judicial qualifications or on its own motion, the Supreme Court may suspend such justice or judge from office without salary when in any court in the United States ~~he the justice or judge~~ pleads guilty or no contest or is found guilty of a crime punishable as a felony under the laws of Indiana or the United States, or of any other crime that involves moral turpitude under that law. If ~~his the justice's or judge's~~ conviction is reversed, suspension terminates, and ~~he the justice or judge~~ shall be paid ~~his the justice's or judge's~~ salary for the period of suspension. If ~~he the justice or judge~~ is suspended and ~~his the justice's or judge's~~ conviction becomes final, the Supreme Court shall remove ~~him the justice or judge~~ from office.

(e) On recommendation of the commission on judicial qualifications, the Supreme Court may (1) retire such justice or judge for disability that seriously interferes with the performance of ~~his the justice's or judge's~~ duties and is or is likely to become permanent, and (2) censure or remove such justice or judge, for action occurring not more than six years prior to the commencement of ~~his the justice's or judge's~~ current term, when such action constitutes willful misconduct in office, willful and persistent failure to perform ~~his the justice's or judge's~~ duties, habitual intemperance, or conduct prejudicial to the administration of justice that brings the judicial office into disrepute.

(f) A justice or judge so retired by the Supreme Court shall be considered to have retired voluntarily. A justice or judge so removed by the Supreme Court is ineligible for judicial office, and pending further order of the Court, ~~he the justice or judge~~ is suspended from practicing law in this State.

(g) Upon receipt by the Supreme Court of any such recommendation, the Court shall hold a hearing, at which such justice or judge is entitled to be present, and make such determinations as shall be required. No justice shall participate in the determination of such hearing when it concerns ~~himself: that justice.~~

(h) The Supreme Court shall make rules implementing this section and provide for convening of hearings. Hearings and proceedings shall be public upon request of the justice or judge whom it concerns.

(i) No such justice or judge shall, during ~~his the justice's or judge's~~ term of office, engage in the practice of law, run for elective office other than a judicial office, directly or indirectly make any contribution to, or hold any office in, a political party or organization or take part in any political campaign.

SECTION 6. (a) Upon the ratification of this amendment by a majority of the electors voting on the amendment, the judicial nominating commission is abolished, and the terms of the justices of the Supreme Court and judges of the Court of Appeals on the date of the ratification are continued until the earlier of the following:

(1) The date the term would have terminated if this amendment had not been ratified.

(2) The date specified by the General Assembly by bill.

(b) The General Assembly shall provide for the staggering of the terms of the justices on the Supreme Court and the judges on the Court of Appeals. As far as practical, the General Assembly shall provide, by bill, that:

(1) One-fourth (1/4) of the offices for justices on the Supreme Court and judges on the Court of Appeals shall be subject to election in 2007.

(2) One-fourth (1/4) of the offices for justices on the Supreme Court and judges on the Court of Appeals shall be subject to election in 2009.

(3) One-fourth (1/4) of the offices for justices on the Supreme Court and judges on the Court of Appeals shall be subject to election in 2011.

(4) One-fourth (1/4) of the offices for justices on the Supreme Court and judges on the Court of Appeals shall be subject to election in 2015.

To accomplish the staggering of judicial offices under this subsection, the General Assembly may shorten or extend the term of a person who is a justice of the Supreme Court or a judge of the Court of Appeals on the date this amendment is ratified.

HJR 4 — Crawford (Rules and Legislative Procedures)

A JOINT RESOLUTION proposing an amendment to Article 1 of the Indiana Constitution concerning health.

Be it resolved by the General Assembly of the State of Indiana:

SECTION 1. The following amendment to the Constitution of the State of Indiana is proposed and agreed to by this, the One Hundred Thirteenth General Assembly of the State of Indiana, and is referred to the next General Assembly for reconsideration and agreement.

SECTION 2. ARTICLE 1 OF THE CONSTITUTION OF THE STATE OF INDIANA IS AMENDED BY ADDING A NEW SECTION TO READ AS FOLLOWS: **Section 38. Health care of a high quality for all members of a community is essential to the general welfare and security of a free government. The General Assembly shall provide, by law, for a system of affordable high quality health care that is equally available to all.**

HJR 5 — Crawford (Rules and Legislative Procedures)

A JOINT RESOLUTION proposing an amendment to Article 1 of the Indiana Constitution concerning housing.

Be it resolved by the General Assembly of the State of Indiana:

SECTION 1. The following amendment to the Constitution of the State of Indiana is proposed and agreed to by this, the One Hundred Thirteenth General Assembly of the State of Indiana, and is referred to the next General Assembly for reconsideration and agreement.

SECTION 2. ARTICLE 1 OF THE CONSTITUTION OF THE STATE OF INDIANA IS AMENDED BY ADDING A NEW SECTION TO READ AS FOLLOWS: **Section 38. Safe and sanitary housing for all members of a community is essential to the general welfare and security of a free government. The General Assembly shall provide, by law, for suitable and affordable housing that is equally available to all.**

HJR 6 — Kruse (Rules and Legislative Procedures)

A JOINT RESOLUTION proposing an amendment to Article 7 of the Indiana Constitution concerning courts and court officers.

Be it resolved by the General Assembly of the State of Indiana:

SECTION 1. The following amendment to the Constitution of the State of Indiana is proposed and agreed to by this, the One Hundred Thirteenth General Assembly of the State of Indiana, and is referred to the next General Assembly for reconsideration and agreement.

SECTION 2. ARTICLE 7, SECTION 3 OF THE CONSTITUTION OF THE STATE OF INDIANA IS AMENDED TO READ AS FOLLOWS: Section 3. Chief Justice. The Chief Justice of the State shall be **a member of the Supreme Court and shall be selected by the judicial nominating commission from the members of the Supreme Court and he to serve as Chief Justice. The Chief Justice shall retain that office for a period of five years, subject to reappointment in the same manner, except that a member of the Court may resign the office of Chief Justice without resigning from the Court. During a vacancy in the office of Chief Justice caused by absence, illness, incapacity or resignation, all powers and duties of that office shall devolve upon the member of the Supreme Court who is senior in length of service and if equal in length of service the determination shall be by lot until such time as the cause of the vacancy is terminated or the vacancy is filled.**

The Chief Justice of the State shall appoint such persons as the General Assembly by law may provide for the administration of **his the Chief Justice's** office. The Chief Justice shall have prepared and submit to the General Assembly regular reports on the condition of the courts and such other reports as may be requested.

SECTION 3. ARTICLE 7, SECTION 9 OF THE CONSTITUTION OF THE STATE OF INDIANA IS AMENDED TO READ AS FOLLOWS: Section 9. **Judicial Nominating Commission on Judicial Qualifications.** There shall be one ~~judicial nominating~~ **judicial nominating** commission on judicial qualifications for the Supreme Court and Court of Appeals. ~~This commission shall, in addition, be the commission on judicial qualifications for the Supreme Court and Court of Appeals.~~

The ~~judicial nominating~~ **judicial nominating** commission on judicial qualifications shall consist of seven members, a majority of whom shall form a

quorum, one of whom shall be the Chief Justice of the State or a Justice of the Supreme Court whom he may designate, who shall act as chairman. Those admitted to the practice of law shall elect three of their number to serve as members of said commission. All elections shall be in such manner as the General Assembly may provide. The Governor shall appoint to the commission three citizens, not admitted to the practice of law. The terms of office and compensation for members of ~~a judicial nominating~~ **the commission on judicial qualifications** shall be fixed by the General Assembly. No member of ~~a judicial nominating~~ **the commission on judicial qualifications** other than the Chief Justice or ~~his the Chief Justice's~~ designee shall hold any other salaried public office. No member shall hold an office in a political party or organization. No member of the ~~judicial nominating~~ **commission on judicial qualifications** shall be eligible for appointment to a judicial office so long as he is a member of the commission and for a period of three years thereafter.

SECTION 4. ARTICLE 7, SECTION 10 OF THE CONSTITUTION OF THE STATE OF INDIANA IS AMENDED TO READ AS FOLLOWS: Section 10. ~~Selection of Justices of the Supreme Court and Judges of the Court of Appeals:~~ (a) A vacancy in a judicial office in the Supreme Court or Court of Appeals shall be filled by the Governor without regard to political affiliation. ~~from a list of three nominees presented to him by the judicial nominating commission: If the Governor shall fail to make an appointment from the list within sixty days from the day it is presented to him; the vacancy occurs,~~ the appointment shall be made by the Chief Justice or the acting Chief Justice. ~~from the same list.~~

(b) To be eligible for nomination as a justice of the Supreme Court or Judge of the Court of Appeals, a person must be domiciled within the geographic district, a citizen of the United States, admitted to the practice of law in the courts of the State for a period of not less than ten (10) years or must have served as a judge of a circuit, superior, or criminal court of the State of Indiana for a period of not less than five (5) years.

SECTION 5. ARTICLE 7, SECTION 11 OF THE CONSTITUTION OF THE STATE OF INDIANA IS AMENDED TO READ AS FOLLOWS: Section 11. ~~Tenure of Justices of Supreme Court and Judges of the Court of Appeals:~~ (a) A justice of the Supreme Court or judge of the Court of Appeals shall ~~serve until the next general election following the expiration of two years from the date of appointment; and subject to approval or rejection by the electorate; shall continue to serve for terms of ten years; so long as he retains his office: be elected by the voters.~~ In the case of a justice of the Supreme Court, the electorate of the entire state shall vote ~~on the question of approval or rejection: for the office.~~ In the case of judges of the Court of Appeals, the electorate of the geographic district in which ~~he a judge~~ serves shall vote ~~on the question of approval or rejection for the office.~~ The term of office for a justice of the Supreme Court is ten years. The term of office of a judge of the Court of Appeals is ten years.

(b) Every such justice and judge shall retire at the age specified by statute in effect at the commencement of ~~his the justice's or judge's~~ current term.

(c) Every such justice or judge is disqualified from acting as a judicial officer, without loss of salary, while there is pending (1) an indictment or information charging ~~him the justice or judge~~ in any court in the United States with a crime punishable as a felony under the laws of Indiana or the United States, or (2) a recommendation to the Supreme Court by the commission on judicial qualifications for ~~his the justice's or judge's~~ removal or retirement.

(d) On recommendation of the commission on judicial qualifications or on its own motion, the Supreme Court may suspend such justice or judge from office without salary when in any court in the United States ~~he the justice or judge~~ pleads guilty or no contest or is found guilty of a crime punishable as a felony under the laws of Indiana or the United States, or of any other crime that involves moral turpitude under that law. If ~~his the justice's or judge's~~ conviction is reversed, suspension terminates, and ~~he the justice or judge~~ shall be paid ~~his the justice's or judge's~~ salary for the period of suspension. If ~~he the justice or judge~~ is suspended and ~~his the justice's or judge's~~ conviction becomes final, the Supreme Court

shall remove ~~him~~ **the justice or judge** from office.

(e) On recommendation of the commission on judicial qualifications the Supreme Court may (1) retire such justice or judge for disability that seriously interferes with the performance of ~~his~~ **the justice's or judge's** duties and is or is likely to become permanent, and (2) censure or remove such justice or judge, for action occurring not more than six years prior to the commencement of ~~his~~ **the justice's or judge's** current term, when such action constitutes willful misconduct in office, willful and persistent failure to perform ~~his~~ **the justice's or judge's** duties, habitual intemperance, or conduct prejudicial to the administration of justice that brings the judicial office into disrepute.

(f) A justice or judge so retired by the Supreme Court shall be considered to have retired voluntarily. A justice or judge so removed by the Supreme Court is ineligible for judicial office, and pending further order of the Court, ~~he~~ **the justice or judge** is suspended from practicing law in this State.

(g) Upon receipt by the Supreme Court of any such recommendation, the Court shall hold a hearing, at which such justice or judge is entitled to be present, and make such determinations as shall be required. No justice shall participate in the determination of such hearing when it concerns ~~himself~~ **that justice**.

(h) The Supreme Court shall make rules implementing this section and provide for convening of hearings. Hearings and proceedings shall be public upon request of the justice or judge whom it concerns.

(i) No such justice or judge shall, during ~~his~~ **the justice's or judge's** term of office, engage in the practice of law, run for elective office other than a judicial office, directly or indirectly make any contribution to, or hold any office in, a political party or organization or take part in any political campaign.

SECTION 6. (a) Upon the ratification of this amendment by a majority of the electors, the judicial nominating commission is abolished, and the terms of the justices of the Supreme Court and judges of the Court of Appeals on the date of the ratification are continued until the earlier of the following:

(1) The date the term would have terminated if this amendment had not been ratified.

(2) The date specified by the General Assembly by bill.

(b) The General Assembly shall provide for the staggering of the terms of the justices on the Supreme Court and the judges on the Court of Appeals. As far as is practical, the General Assembly shall provide, by bill, the following:

(1) One fourth (1/4) of the offices for justices on the Supreme Court and judges on the Court of Appeals shall be subject to election in 2008.

(2) One fourth (1/4) of the offices for justices on the Supreme Court and judges on the Court of Appeals shall be subject to election in 2010.

(3) One fourth (1/4) of the offices for justices on the Supreme Court and judges on the Court of Appeals shall be subject to election in 2012.

(4) One fourth (1/4) of the offices for justices on the Supreme Court and judges on the Court of Appeals shall be subject to election in 2014.

To accomplish the staggering of judicial offices under this subsection, the General Assembly may shorten or extend the term of a person who is a justice of the Supreme Court or a judge of the Court of Appeals on the date this amendment is ratified.

HJR 7 — Welch, T. Adams, Saunders, Whetstone (Rules and Legislative Procedures)

A JOINT RESOLUTION proposing an amendment to Article 6, Section 2 of the Indiana Constitution concerning local government.

Be it resolved by the General Assembly of the State of Indiana:

SECTION 1. The following amendment to the Constitution of the State of Indiana, which was agreed to by the One Hundred Twelfth General Assembly and referred to this General Assembly for reconsideration and agreement, is agreed to by this the One Hundred Thirteenth General Assembly of the State of Indiana.

SECTION 2. ARTICLE 6, SECTION 2 OF THE CONSTITUTION OF THE STATE OF INDIANA IS AMENDED TO READ AS FOLLOWS: Section 2. (a) There shall be elected, in each county by the voters thereof, at the time of holding general elections, a Clerk of the Circuit Court, Auditor, Recorder, Treasurer, Sheriff, Coroner, and Surveyor, who shall, severally, hold their offices for four years. ~~and~~

(b) The General Assembly may provide by law for uniform dates for beginning the terms of the county officials listed in subsection (a). If the General Assembly enacts a law to provide a uniform date for beginning the terms of a county official listed in subsection (a), the General Assembly may provide that the term of each county official initially elected after enactment of the law to provide the uniform date for beginning the terms of the county official is for less than four years in order to establish a uniform schedule of dates for the beginning of terms for the office. However, after the initial election for each office, the term for that office shall be for four years.

(c) No person shall be eligible to the office of Clerk, Auditor, Recorder, Treasurer, Sheriff, or Coroner more than eight years in any period of twelve years.

HJR 8 — Murphy, Grubb (Rules and Legislative Procedures)

A JOINT RESOLUTION proposing an amendment to Article 5 of the Indiana Constitution concerning state offices and administration.

Be it resolved by the General Assembly of the State of Indiana:

SECTION 1. The following amendment to the Constitution of the State of Indiana, which was agreed to by the One Hundred Twelfth General Assembly and referred to this General Assembly for reconsideration and agreement, is agreed to by this the One Hundred Thirteenth General Assembly of the State of Indiana.

SECTION 2. ARTICLE 5, SECTION 10 OF THE CONSTITUTION OF THE STATE OF INDIANA IS AMENDED TO READ AS FOLLOWS: Section 10. (a) In case the Governor-elect fails to assume office, or in case of the death or resignation of the Governor or ~~his~~ **the Governor's** removal from office, the Lieutenant Governor shall become Governor and hold office for the unexpired term of the person whom ~~he~~ **the Lieutenant Governor** succeeds. In case the Governor is unable to discharge the powers and duties of ~~his~~ **the** office, the Lieutenant Governor shall discharge the powers and duties of the office as Acting Governor.

(b) Whenever there is a vacancy in the office of Lieutenant Governor, the Governor shall nominate a Lieutenant Governor who shall take office upon confirmation by a majority vote in each house of the General Assembly and hold office for the unexpired term of the ~~person whom he succeeds~~ **previous Lieutenant Governor**. If the General Assembly is not in session, the Governor shall call it into special session to receive and act upon the Governor's nomination. In the event of the inability of the Lieutenant Governor to discharge the powers and duties of ~~his~~ **the** office, the General Assembly may provide by law for the manner in which a person shall be selected to act in ~~his~~ **the Lieutenant Governor's** place and declare which powers and duties of the office such person shall discharge.

(c) Whenever the Governor transmits to the President pro tempore of the Senate and the Speaker of the House of Representatives ~~his~~ **the Governor's** written declaration that ~~he~~ **the Governor** is unable to discharge the powers and duties of ~~his~~ **the** office, and until ~~he~~ **the Governor** transmits to them a written declaration to the contrary, such powers and duties shall be discharged by the Lieutenant Governor as Acting Governor. Thereafter, when the Governor transmits to the President pro tempore of the Senate and the Speaker of the House of Representatives ~~his~~ **the Governor's** written declaration that no inability exists, ~~he~~ **the Governor** shall resume the powers and duties of ~~his~~ **the** office.

(d) Whenever the President pro tempore of the Senate and the Speaker of the House of Representatives file with the Supreme Court a written statement suggesting that the Governor is unable to discharge the powers and duties of ~~his~~ **the** office, the Supreme Court shall meet within forty-eight hours to decide the question and such decision shall be final. Thereafter, whenever the Governor files with

the Supreme Court ~~his the Governor's~~ written declaration that no inability exists, the Supreme Court shall meet within forty-eight hours to decide whether such be the case and such decision shall be final. Upon a decision that no inability exists, the Governor shall resume the powers and duties of ~~his the~~ office.

(e) Whenever there is a vacancy in both the office of Governor and Lieutenant Governor, the General Assembly shall convene in joint session forty-eight hours after such occurrence and elect a Governor from and of the same political party as the immediately past Governor by a majority vote of each house. **If either house of the General Assembly is unable to assemble a quorum of its members because of vacancies in the membership of that house, the General Assembly shall convene not later than forty-eight hours after a sufficient number of the vacancies are filled to provide a quorum of members for that house.**

(f) **An individual holding one (1) of the following offices shall discharge the powers and duties of the governor if the office of governor and the office of lieutenant governor are both vacant, in the order listed:**

(1) **The speaker of the house of representatives.**

(2) **The president pro tempore of the senate, if the office described in subdivision (1) is vacant.**

(3) **The treasurer of state, if the offices described in subdivisions (1) and (2) are vacant.**

(4) **The auditor of state, if the offices described in subdivisions (1) through (3) are vacant.**

(5) **The secretary of state, if the offices described in subdivisions (1) through (4) are vacant.**

(6) **The state superintendent of public instruction, if the offices described in subdivisions (1) through (5) are vacant.**

(g) **An individual's authority to discharge the governor's powers and duties under subsection (f) ends when the general assembly fills the office of governor under this section.**

HJR 9 — C. Brown (Rules and Legislative Procedures)

A JOINT RESOLUTION proposing an amendment to Article 7 of the Constitution of the State of Indiana concerning courts and court officers.

Be it resolved by the General Assembly of the State of Indiana:

SECTION 1. The following amendment to the Constitution of the State of Indiana is proposed and agreed to by this, the One Hundred Thirteenth General Assembly of the State of Indiana, and is referred to the next General Assembly for reconsideration and agreement.

SECTION 2. ARTICLE 7, SECTION 3 OF THE CONSTITUTION OF THE STATE OF INDIANA IS AMENDED TO READ AS FOLLOWS: Section 3. ~~Chief Justice:~~ The Chief Justice of the State shall be **a member of the Supreme Court and shall be selected by the judicial nominating commission from the members of the Supreme Court and he to serve as Chief Justice.** The Chief Justice shall retain that office for a period of five years, subject to reappointment in the same manner, except that a member of the Court may resign the office of Chief Justice without resigning from the Court. During a vacancy in the office of Chief Justice caused by absence, illness, incapacity or resignation, all powers and duties of that office shall devolve upon the member of the Supreme Court who is senior in length of service and if equal in length of service the determination shall be by lot until such time as the cause of the vacancy is terminated or the vacancy is filled.

The Chief Justice of the State shall appoint such persons as the General Assembly by law may provide for the administration of ~~his the Chief Justice's~~ office. The Chief Justice shall have prepared and submit to the General Assembly regular reports on the condition of the courts and such other reports as may be requested.

HJR 10 — Richardson (Rules and Legislative Procedures)

A JOINT RESOLUTION proposing an amendment to Article 6 of the Indiana Constitution concerning local government.

Be it resolved by the General Assembly of the State of Indiana:

SECTION 1. The following amendment to the Constitution of the State of Indiana is proposed and agreed to by this, the One Hundred Thirteenth General Assembly of the State of Indiana, and is referred

to the next General Assembly for reconsideration and agreement.

SECTION 2. ARTICLE 6, SECTION 4 OF THE CONSTITUTION OF THE STATE OF INDIANA IS AMENDED TO READ AS FOLLOWS: Section 4. ~~No A person shall~~ **may not** be elected or appointed as a county officer ~~who unless the person satisfies all the following:~~

(1) **The person is not** an elector of the county. ~~and who~~

(2) **The person has not** been an inhabitant of the county one (1) year next preceding ~~his the person's~~ election or appointment.

(3) **The person is at least twenty-one (21) years of age on the date of the person's election or appointment if the person is to be elected or appointed to be sheriff.**

REPORTS FROM COMMITTEES

COMMITTEE REPORT

Mr. Speaker: Your Committee on Technology, Research and Development, to which was referred House Bill 1006, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 4, after line 42, begin a new paragraph and insert:

"SECTION 10. IC 4-4-10.9-6.2, AS AMENDED BY P.L.4-2002, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 6.2. (a) "Educational facility project" includes:

(1) the acquisition of land, site improvements, infrastructure improvements, buildings, or structures, the rehabilitation, renovation, and enlargement of buildings and structures, machinery, equipment, furnishings, or facilities (or any combination of these):

(A) comprising or being functionally related and subordinate to any aquaria, botanical societies, historical societies, libraries, museums, performing arts associations or societies, scientific societies, zoological societies, and independent elementary, secondary, or postsecondary schools (or any combination of these) that engages in the cultural, intellectual, scientific, educational, or artistic enrichment of the people of the state the development or expansion of which serves the purposes set forth in IC 4-4-11-2;

(B) is not used or to be used primarily for sectarian instruction or study or as a place for devotional activities; and

(C) is not used or to be used primarily in connection with any part of the program of a school or department of divinity for any religious denomination; or

(2) funding (including reimbursement or refinancing) by a nonprofit organization described in subsection (b) of:

(A) real property and improvements;

(B) personal property; or

(C) noncapital costs to fund a judgment, a settlement, or other cost or liability. ~~other than an ordinary and recurring operating cost or expenditure.~~

(b) For purposes of subsection (a)(2), a nonprofit organization must be:

(1) qualified as tax exempt under Section 501(c)(3) of the Internal Revenue Code; and

(2) have headquarters or a primary educational or exhibit facility located on property owned by or titled in the name of the state of Indiana or an agency, a commission, or an instrumentality of the state of Indiana that serves the purposes set forth in IC 4-4-11-2."

Page 5, line 7, strike "earnings" and insert "**gross revenue**".

Page 5, line 11, strike "earnings" and insert "**gross revenue**".

Page 6, line 16, delete "new".

Page 12, line 17, after "project" insert "**or technology commercialization project**".

Page 12, line 20, delete "fund," and insert "**fund or the Indiana venture fund,**".

Page 12, line 22, after "project" insert "**or technology commercialization project**".

Page 16, line 25, delete "shall" and insert "**may**".

Page 21, line 4, after "the authority." insert **"The report must be prepared in accordance with generally accepted accounting principles."**

(Reference is to HB 1006 as introduced.)
and when so amended that said bill do pass.

Committee Vote: yeas 13, nays 0.

HASLER, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Technology, Research and Development, to which was referred House Bill 1007, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 2, delete lines 7 through 42.

Delete page 3.

Page 4, delete lines 1 through 36.

Page 6, line 18, delete "to accomplish" and insert **"in accomplishing"**.

Page 6, line 28, after "16." insert **"(a) For purposes of this section, "operating expenditures" includes the following:**

- (1) Business plans.
- (2) Marketing studies.
- (3) Mentor identification.
- (4) Securitization of capital.
- (5) Legal services.
- (6) Other necessary services.

(b)".

Page 6, line 30, delete "Three million dollars (\$3,000,000) for capital expenditures." and insert **"Two million dollars (\$2,000,000) for the leasing, construction, or purchase of capital assets."**

Page 6, line 31, delete "One" and insert **"Two"**.

Page 6, line 31, delete "(\$1,000,000)" and insert **"(\$2,000,000)"**.

Page 6, line 32, after "expenditures," insert **"and, subject to subsection (d),"**.

Page 6, line 32, delete "two" and insert **"five"**.

Page 6, line 32, delete "fifty".

Page 6, line 33, delete "(\$250,000)" and insert **"(\$500,000)"**.

Page 6, line 33, delete "given" and insert **"distributed"**.

Page 6, between lines 33 and 34, begin a new paragraph and insert:

"(c) This subsection applies to a grant provided under subsection (b)(1) for the leasing of a capital asset. The grant may be applied only to lease payments made during:

- (1) the fiscal year; or
- (2) each of the three (3) fiscal years immediately following the fiscal year;

in which the grant is provided.

(d) The annual distribution of a grant under subsection (b)(2) may not exceed the following:

- (1) Eighty percent (80%) of total operating expenditures in the fiscal year in which the grant is provided.
- (2) Sixty percent (60%) of total operating expenditures in the fiscal year after the fiscal year in which the grant is provided.
- (3) Forty percent (40%) of total operating expenditures in the second fiscal year after the fiscal year in which the grant is provided.
- (4) Twenty percent (20%) of total operating expenditures in the third fiscal year after the fiscal year in which the grant is provided."

Page 6, line 34, delete "may" and insert **"shall"**.

Page 6, delete line 35 and insert **"require that the lesser of:**

- (1) two million dollars (\$2,000,000); or
- (2) fifty percent (50%) of the total capital costs;

of".

Page 7, line 8, reset in roman "determines that the application demonstrates".

Page 7, line 10, strike "satisfies".

Page 7, line 11, strike "additional".

Renumber all SECTIONS consecutively.
(Reference is to HB 1007 as introduced.)
and when so amended that said bill do pass.

Committee Vote: yeas 13, nays 0.

HASLER, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Technology, Research and Development, to which was referred House Bill 1008, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

Committee Vote: yeas 13, nays 0.

HASLER, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Judiciary, to which was referred House Bill 1034, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 2, line 2, delete "twenty-four dollars (\$124)." and insert **"twenty-seven dollars (\$127)." .**

Page 2, between lines 23 and 24, begin a new paragraph and insert:

"(c) A court may not order parties into mediation or refer parties to mediation if a party is currently charged with or has been convicted of a crime:

(1) under IC 35-42; or

(2) in another jurisdiction that is substantially similar to the elements of a crime described in IC 35-42."

(Reference is to HB 1034 as introduced.)

and when so amended that said bill do pass.

Committee Vote: yeas 12, nays 0.

L. LAWSON, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Judiciary, to which was referred House Bill 1044, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

Committee Vote: yeas 12, nays 0.

L. LAWSON, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Commerce and Economic Development, to which was referred House Bill 1074, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

Committee Vote: yeas 9, nays 4.

STEVENSON, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Technology, Research and Development, to which was referred House Bill 1083, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 4, delete lines 9 through 13, begin a new paragraph and insert:

"Sec. 10. (a) The following have a right of action against a person who initiates or assists the transmission of a commercial electronic mail message that violates this chapter:

(1) A person who receives the commercial electronic mail message.

(2) An interactive computer service that handles or retransmits the commercial electronic mail message.

(b) This chapter does not provide a right of action against an interactive computer service that handles or retransmits a commercial electronic mail message that violates this chapter.

(c) If the plaintiff prevails in an action filed under this section, the plaintiff is entitled to the following:

- (1) An injunction to enjoin future violations of this chapter.
- (2) Compensatory damages equal to any actual damage proven by the plaintiff to have resulted from the initiation of the commercial electronic mail message. If the plaintiff does not prove actual damage, the plaintiff is entitled to presumptive damages of five hundred dollars (\$500) for each commercial electronic mail message that violates this chapter and that is sent by the defendant:

(A) to the plaintiff; or

(B) through the plaintiff's interactive computer service.

(3) The plaintiff's reasonable attorney's fees and other litigation costs reasonably incurred in connection with the action."

(Reference is to HB 1083 as introduced.)
and when so amended that said bill do pass.

Committee Vote: yeas 12, nays 0.

HASLER, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Labor and Employment, to which was referred House Bill 1089, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, line 11, delete "firefighter;" and insert "**firefighter of a unit;**".

Page 2, line 14, delete "firefighter;" and insert "**firefighter of a unit;**".

Page 2, after line 23, begin anew paragraph and insert:

"SECTION 3. IC 36-8-13-3, AS AMENDED BY P.L.90-2002, SECTION 494, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 3. (a) The executive of a township, with the approval of the legislative body, may do the following:

(1) Purchase firefighting and emergency services apparatus and equipment for the township, provide for the housing, care, maintenance, operation, and use of the apparatus and equipment to provide services within the township but outside the corporate boundaries of municipalities, and employ full-time or part-time personnel to operate the apparatus and equipment and to provide services in that area. **Preference in employment under this section shall be given according to the following priority:**

(A) A war veteran who has been honorably discharged from the United States armed forces.

(B) A person whose mother or father was a full-time, fully paid:

(i) firefighter of a unit;

(ii) municipal police officer; or

(iii) county police officer;

who died in the line of duty (as defined in IC 5-10-10-2).

A person described in this subdivision may not receive a preference for employment unless the person applies for employment and meets all employment requirements prescribed by law, including physical and age requirements, and all employment requirements prescribed by the fire department.

(2) Contract with a municipality in the township or in a contiguous township that maintains adequate firefighting or emergency services apparatus and equipment to provide fire protection or emergency services for the township in accordance with IC 36-1-7.

(3) Cooperate with a municipality in the township or in a contiguous township in the purchase, maintenance, and upkeep

of firefighting or emergency services apparatus and equipment for use in the municipality and township in accordance with IC 36-1-7.

(4) Contract with a volunteer fire department that has been organized to fight fires in the township for the use and operation of firefighting apparatus and equipment that has been purchased by the township in order to save the private and public property of the township from destruction by fire, including use of the apparatus and equipment in an adjoining township by the department if the department has made a contract with the executive of the adjoining township for the furnishing of firefighting service within the township.

(5) Contract with a volunteer fire department that maintains adequate firefighting service in accordance with IC 36-8-12.

(b) This subsection applies only to townships that provide fire protection or emergency services or both under subsection (a)(1) and to municipalities that have all municipal territory completely within a township and do not have a full-time paid fire department. A township may provide fire protection or emergency services or both without contracts inside the corporate boundaries of the municipalities if before July 1 of a year the following occur:

(1) The legislative body of the municipality adopts an ordinance to have the township provide the services without a contract.

(2) The township legislative body passes a resolution approving the township's provision of the services without contracts to the municipality.

In a township providing services to a municipality under this section, the legislative body of either the township or a municipality in the township may opt out of participation under this subsection by adopting an ordinance or a resolution, respectively, before July 1 of a year.

(c) This subsection applies only to a township that:

(1) is located in a county containing a consolidated city;

(2) has at least three (3) included towns (as defined in IC 36-3-1-7) that have all municipal territory completely within the township on January 1, 1996; and

(3) provides fire protection or emergency services, or both, under subsection (a)(1);

and to included towns (as defined in IC 36-3-1-7) that have all the included town's municipal territory completely within the township. A township may provide fire protection or emergency services, or both, without contracts inside the corporate boundaries of the municipalities if before August 1 of the year preceding the first calendar year to which this subsection applies the township legislative body passes a resolution approving the township's provision of the services without contracts to the municipality. The resolution must identify the included towns to which the resolution applies. In a township providing services to a municipality under this section, the legislative body of the township may opt out of participation under this subsection by adopting a resolution before July 1 of a year. A copy of a resolution adopted under this subsection shall be submitted to the executive of each included town covered by the resolution, the county auditor, and the department of local government finance."

(Reference is to HB 1089 as introduced.)

and when so amended that said bill do pass.

Committee Vote: yeas 13, nays 0.

LIGGETT, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Commerce and Economic Development, to which was referred House Bill 1183, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 2, line 26, delete "JANUARY 1, 2004:" and insert "UPON PASSAGE:".

Page 2, line 33, delete "CPA".

Page 2, line 35, delete "state." and insert "**state, as determined by the board.**".

(Reference is to HB 1183 as introduced.)
and when so amended that said bill do pass.
Committee Vote: yeas 11, nays 0.

STEVENSON, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Labor and Employment, to which was referred House Bill 1265, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.
Committee Vote: yeas 14, nays 0.

LIGGETT, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Labor and Employment, to which was referred House Bill 1267, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.
Committee Vote: yeas 8, nays 6.

LIGGETT, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Interstate and International Cooperation, to which was referred House Bill 1380, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.
Committee Vote: yeas 9, nays 0.

KROMKOWSKI, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Labor and Employment, to which was referred House Bill 1410, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, line 3, delete "Subject to the requirements of the federal".

Page 1, delete line 4.

Page 1, line 5, delete "amended and in effect on January 1, 2003," and insert **"Except as provided in subsection (b),"**

Page 1, between lines 13 and 14, begin a new paragraph and insert:

"(b) The commissioner may not adopt rules under subsection (a) that are more stringent than the corresponding rules adopted by the United States Department of Labor under the federal Occupational Safety and Health Act (29 U.S.C. 651 et seq.), as amended."

Page 1, delete lines 14 through 17.

Page 2, delete lines 1 through 20.

(Reference is to HB 1410 as introduced.)
and when so amended that said bill do pass.

Committee Vote: yeas 13, nays 0.

LIGGETT, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Technology, Research and Development, to which was referred House Bill 1470, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

Committee Vote: yeas 13, nays 0.

HASLER, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Labor and Employment, to which was referred House Bill 1481, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

Committee Vote: yeas 12, nays 2.

LIGGETT, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Labor and Employment, to which was referred House Bill 1534, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

Committee Vote: yeas 9, nays 5.

LIGGETT, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Labor and Employment, to which was referred House Bill 1573, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

Committee Vote: yeas 13, nays 0.

LIGGETT, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Agriculture, Natural Resources and Rural Development, to which was referred House Bill 1656, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 2, between lines 29 and 30, begin a new paragraph and insert:

"SECTION 5. IC 14-22-12-8 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 8. (a) Except as provided in subsection (b); Each license agent who is authorized to sell licenses under this article shall retain a seventy-five cent (\$0.75) service fee for each license sold.

(b) The subagents of the clerk of the circuit court are entitled to a fifty cent (\$0.50) service fee for each license sold. The remaining twenty-five cents (\$0.25) of the service fee shall be retained by the clerk of the circuit court or the distributing agent who distributes licenses to the subagents."

Page 3, line 3, delete "paid," and insert "paid."

Page 3, strike line 4.

Page 3, delete lines 5 through 15, begin a new paragraph and insert:

"SECTION 7. IC 14-22-12-11 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 11. (a) Agents designated by the director and serving directly under the director's supervision must be bonded in the same manner and to the same effect as subagents; execute a bond meeting the following requirements:

(1) The bond is payable to the state in an amount:
(A) not less than five thousand dollars (\$5,000); but
(B) sufficient to cover the value of licenses distributed to the agent.

(2) The surety is approved by the director.

(3) The bond is conditioned on the proper selling of the licenses and proper accounting for all money due to the state.

(b) An agent's obligations under this section expire on the earlier of:

(1) the date on which the agent begins offering hunting, fishing, and trapping licenses for sale under an automated point of sale licensing system implemented under section 7.5 of this chapter; or

(2) July 1, 2005."

Page 5, line 38, delete "IC 14-22-12-11;" and insert "IC 14-22-12-10; IC 14-22-12-12;".

Renumber all SECTIONS consecutively.
(Reference is to HB 1656 as introduced.)
and when so amended that said bill do pass.

Committee Vote: yeas 12, nays 1.

BISCHOFF, Chair

Report adopted.

HOUSE BILLS ON SECOND READING

House Bill 1055

Representative Goodin called down House Bill 1055 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

House Bill 1110

Representative Cheney called down House Bill 1110 for second reading. The bill was read a second time by title.

HOUSE MOTION (Amendment 1110-1)

Mr. Speaker: I move that House Bill 1110 be amended to read as follows:

Page 1, line 10, after "of" insert "**fatal**".

Page 2, delete lines 16 through 42.

Delete page 3.

Page 4, delete lines 1 through 28.

Renumber all SECTIONS consecutively.

(Reference is to HB 1110 as printed January 22, 2003.)

CHENEY

Motion prevailed. The bill was ordered engrossed.

House Bill 1210

Representative Herrell called down House Bill 1210 for second reading. The bill was read a second time by title.

HOUSE MOTION (Amendment 1210-1)

Mr. Speaker: I move that House Bill 1210 be amended to read as follows:

Page 2, line 21, after "A" insert "**new**".

Page 2, line 21, delete "titled in the name of the manufacturer".

Page 2, line 22, delete "as provided in section 5(1) of this".

Page 2, line 23, delete "chapter that is purchased in Indiana by a division" and insert "**with a certificate of origin and that is destined for a subsidiary**".

(Reference is to HB 1210 as printed January 22, 2003.)

HERRELL

Motion prevailed. The bill was ordered engrossed.

House Bill 1215

Representative Fry called down House Bill 1215 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

ENGROSSED HOUSE BILLS ON THIRD READING

Engrossed House Bill 1026

Representative V. Smith called down Engrossed House Bill 1026 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 10: yeas 87, nays 3. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed

to inform the Senate of the passage of the bill. Senate sponsors: Senators Riegsecker, Rogers, and Dillon.

Engrossed House Bill 1080

Representative Cheney called down Engrossed House Bill 1080 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning education.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 11: yeas 93, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators Harrison, Antich, Dembowski, and Landske.

Engrossed House Bill 1115

Pursuant to House Rule 146.3, the author of Engrossed House Bill 1115, Representative Kuzman, granted consent for the coauthor, Representative Foley, to call the bill down for third reading. Representative Foley called down Engrossed House Bill 1115 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning trusts and fiduciaries.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 12: yeas 93, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators Zakas, Antich, and C. Lawson.

Engrossed House Bill 1117

Pursuant to House Rule 146.3, the author of Engrossed House Bill 1117, Representative Kuzman, granted consent for the coauthor, Representative Foley, to call the bill down for third reading. Representative Foley called down Engrossed House Bill 1117 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning property.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 13: yeas 93, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators Zakas, Antich, and C. Lawson.

Engrossed House Bill 1167

Representative Frenz called down Engrossed House Bill 1167 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning technical corrections.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 14: yeas 91, nays 2. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators Kenley and Bowser.

OTHER BUSINESS ON THE SPEAKER'S TABLE

Referrals to Ways and Means

The Speaker announced, pursuant to House Rule 127, that House Bills 1006, 1007, 1008, 1481, 1573, and 1656 had been referred to the Committee on Ways and Means.

HOUSE MOTION

Mr. Speaker: I move that Representatives Torr, Stilwell, and D. Young be added as coauthors of House Bill 1003.

LIGGETT

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Scholer be added as coauthor of House Bill 1006.

HASLER

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Scholer be added as coauthor of House Bill 1007.

HASLER

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Grubb be added as coauthor of House Bill 1047.

ULMER

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Avery be added as coauthor of House Bill 1055.

GOODIN

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives T. Brown, Heim, and Pierce be added as coauthors of House Bill 1083.

WEINZAPFEL

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Weinzapfel be added as coauthor of House Bill 1260.

AVERY

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Whetstone be added as coauthor of House Bill 1471.

OXLEY

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Koch be added as coauthor of House Bill 1603.

RESKE

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Dvorak be removed as coauthor of House Bill 1711.

KLINKER

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Buell be added as coauthor of House Bill 1874.

AVERY

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Hinkle be added as coauthor of House Bill 1902.

DENBO

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Kromkowski be added as coauthor of House Bill 1980.

AVERY

Motion prevailed.

Pursuant to House Rule 60, committee meetings were announced.

On the motion of Representative Neese, the House adjourned at 2:15 p.m., this twenty-third day of January, 2003, until Monday, January 27, 2003, at 1:30 p.m.

B. PATRICK BAUER

Speaker of the House of Representatives

DIANE MASARIU CARTER

Principal Clerk of the House of Representatives